

AN ACT

RELATING TO MUNICIPAL COURTS; INCREASING THE AMOUNT OF THE COURT AUTOMATION FEE ASSESSED AND COLLECTED BY THE MUNICIPAL COURTS; MAKING AN APPROPRIATION; AMENDING A SECTION OF THE NMSA 1978; AMENDING LAWS 1994, CHAPTER 69, SECTION 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 35-14-11 NMSA 1978 (being Laws 1983, Chapter 134, Section 6, as amended) is amended to read:

"35-14-11. MUNICIPAL ORDINANCE--COURT COSTS--
COLLECTION--PURPOSE. --

A. Every municipality shall enact an ordinance requiring assessment of corrections fees, judicial education fees and court automation fees to be collected as court costs and used as provided in this section.

B. As used in this subsection, "convicted" means the defendant has been found guilty of a criminal charge by a municipal judge, either after trial, a plea of guilty or a plea of nolo contendere. A municipal judge shall collect the following costs:

- (1) a corrections fee of ten dollars (\$10.00);
- (2) a judicial education fee of one dollar (\$1.00); and
- (3) a court automation fee of six dollars

(\$6.00).

C. The fees are to be collected upon conviction from persons convicted of violating any ordinance relating to the operation of a motor vehicle or any ordinance that may be enforced by the imposition of a term of imprisonment.

D. All money collected pursuant to Paragraph (1) of Subsection B of this section shall be deposited in a special fund in the municipal treasury and shall be used for municipal jailer or juvenile detention officer training, for the construction planning, construction, operation and maintenance of a municipal jail or juvenile detention facility, for paying the cost of housing municipal prisoners in a county jail or housing juveniles in a detention facility or for complying with match or contribution requirements for the receipt of federal funds relating to jails or juvenile detention facilities.

E. All money collected pursuant to Paragraph (2) of Subsection B of this section shall be remitted monthly to the state treasurer for credit to the judicial education fund and shall be used for the education and training, including production of bench books and other written materials, of municipal judges and other municipal court employees.

F. All money collected pursuant to Paragraph (3) of Subsection B of this section shall be remitted monthly to the state treasurer for credit to the municipal court

automation fund and shall be used for the purchase and maintenance of court automation systems in the municipal courts. The court automation systems shall have the capability of providing, on a timely basis, electronic records in a format specified by the judicial information system council. "

Section 2. Laws 1994, Chapter 69, Section 4 is amended to read:

"Section 4. EFFECTIVE DATE. --

A. The effective date of the provisions of Sections 1 and 3 of this act is July 1, 1994.

B. The effective date of the provisions of Section 2 of this act is July 1, 2001."

Section 3. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 1998. _____